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Sen. Stamas bill to prevent frivolous lawsuits passed unanimously by Senate

LANSING – Legislation amending the Michigan Agricultural Processing Act to help ensure that food processors are protected from frivolous lawsuits passed the Michigan Senate unanimously today, announced Sen. Tony Stamas, R-Midland.

If signed into law, Senate Bills 668 and 669 would close a liability loophole in the Michigan Agricultural Processing Act (MAPA) for food processors operating in compliance with specified laws.

“We need to make sure that food processors are safe from frivolous lawsuits,” Stamas said. “This legislation is necessary because of a few loopholes in current statute. We need to tighten the law and fulfill the original intent of the Michigan Agricultural Processing Act.”

Sponsored by Stamas, SB 669 will require complainants to exhaust the administrative complaint process regarding supposed violations before taking a complaint to court. The language also specifies that a court can not proceed with action until a final determination is made by the Michigan Department of Agriculture.

Originally enacted in 1998, MAPA provides immunity from nuisance lawsuits for food processors that operate according to generally accepted processing practices.

Lawsuits can and have been filed against food processors because of the loophole in current law.

As part of the Republican New Economy plan, the legislation is designed to help protect Michigan jobs. Michigan has 882 food and beverage establishments that employ approximately 45,000 people throughout the state.

“Frivolous lawsuits cost companies and our courts a significant amount of money,” Stamas said. “We need to do everything in our power to stop these unnecessary lawsuits that could potentially encourage these companies to relocate to other states with better business environments and protections from frivolous lawsuits.”

SBs 668 and 669 now head to the House of Representatives for consideration.

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